



WESTFIELD-WASHINGTON

ADVISORY PLAN COMMISSION

SECOND MONTHLY MEETING

March 15, 2010

1003-DP-02 & 1003-SIT-02

PETITION NUMBER:	1003-DP-02 & 1003-SIT-02	
SUBJECT SITE ADDRESS:	16950 Westfield Park Road	
PETITIONER:	Insects Limited, Inc.	
REPRESENTATIVE:	Kirk Farley, Simply Leisure, Inc.	
REQUEST:	Development Plan and Site Plan Review for a proposed 268 square-foot greenhouse structure.	
CURRENT ZONING:	EI	
CURRENT LAND USE:	Industrial/Office	
APPROXIMATE ACREAGE:	0.9 acre	
EXHIBITS:	<ol style="list-style-type: none"> 1. Staff Report 2. Aerial Location Map 3. TAC Letters 4. Waiver Request – Perimeter Pathway 5. Petitioner's Plans 	
STAFF REVIEWER:	Kevin M. Todd, AICP	
ZONING HISTORY:	97-AP-30	Original Site Development Plan

PETITION HISTORY

This petition has been reviewed by the Technical Advisory Committee. The petition received a public hearing at the March 1, 2010 Advisory Plan Commission meeting and is scheduled for final deposition at the March 15, 2010 Advisory Plan Commission meeting.

PROCEDURAL

- The primary purpose of the Second Monthly Meeting is to take action on matters that have received a public hearing at the previous Advisory Plan Commission meeting. However, in some instances the Advisory Plan Commission (the “APC”) may hold a public hearing at this meeting as well. The APC may hear additional public comment at the APC President’s discretion, or by a majority of the APC members present.
- Final Deposition of this case is scheduled for the March 15, 2010 APC meeting.
- Approval of a Development Plan and Site Plan Review must be granted if the submitted plans demonstrate compliance with the terms of the underlying zoning district, subdivision control ordinance or applicable PUD, any variances associated with the site, and any commitments associated with the site.
- The Advisory Plan Commission may approve, conditionally approve, continue, or deny the requested approval. Any conditions must be determined through agreement of the APC and the petitioner. Any continuance should also be determined through agreement of the APC and the petitioner.



- This petition includes a waiver request. The waiver request should be considered and acted upon prior to a final deposition of the case.

PROJECT DESCRIPTION

The proposed business expansion is for a detached greenhouse that is approximately 268 square feet in size (the “Project”). The greenhouse will be used for research purposes for the business, Insects Limited, LLC. The greenhouse would be located in a space that is currently a grassed courtyard area.

The petitioner is requesting a waiver from the requirement to include a perimeter path along Westfield Park Drive. The development standard for pathways is normally required to facilitate the need for connectivity within the City. This standard applies to the subject property; however, given the current situation of the property and its surroundings, approving the request to waive the standard for this project would be consistent with previous Westfield Park Drive treatment.

DEVELOPMENT REQUIREMENTS (WC 16.04.165, C)

1. Zoning District Standards

	<u>PROPOSED</u>	<u>STATUS</u>
<u>Industrial Districts</u> (WC 16.04.060)		
A. Performance Standards – no products that decompose by detonation	None	Compliant
A1. EI – operations entirely within enclosed buildings	Operations entirely within enclosed buildings	Compliant
A2. OI – operations requiring open area	NA	NA
A3. Standards – <i>the following standards (A3a – A3h) are not reviewed at the plan review stage, but are measured and monitored by Code Enforcement, as necessary.</i>		
A3a. Smoke – 70 smoke units per stack	NA	NA
A3b. Particulate Matter – 0.06 lbs/1000 lbs	NA	NA
A3c. Odor – not a nuisance or hazard	NA	NA
A3d. Poisonous Fumes & Gases – >10%	NA	NA
A3e. Glare & Heat – not a nuisance	NA	NA
A3f. Vibration – none detected within 250’ of residential, 150’ of business	NA	NA
A3g. Noise – see table in Zoning Ordinance for maximum dB at 125’ from property line	NA	NA
A3h. Fire Hazards – storage, utilization, manufacturing of:		



WESTFIELD-WASHINGTON

ADVISORY PLAN COMMISSION

SECOND MONTHLY MEETING

March 15, 2010

1003-DP-02 & 1003-SIT-02

- Solid Materials	NA	NA
- Liquids or Gases	NA	NA
A4a. Waste Discharge in Streams/Sewers – comply with IC 13-1-3	NA	NA
A4b. Rear alley part of rear yard	NA	NA
A4c. More than one principal building per lot	NA	NA
A4d. Building Height >60' if side & rear setbacks are increased 1' for every 2' of height above 45'	NA	NA
A4e. Chimneys, cooling towers, etc – no max height	NA	NA
A4f. ZO and Comp Plan compliance	See comments in this section and Section 5 below	See comments in this section and Section 5 below
B. Enclosed Industrial		
B1. Permitted Uses	“Exterminators” and “Testing Laboratories”	Compliant
B2. Special Exceptions	NA	NA
B3. Min Lot Size – 3 acres	0.9 acre	Compliant – lot is legal, non-conforming
B4. Min. Road Frontage – 70'	131'	Compliant
B5a. Min. Front Yard Setback – 40'	76'	Compliant
B5b. Min. Side Yard Setback		
- (South) – 20'	22'	Compliant
- (North) – 20'	76'	Compliant
B5c. Min. Rear Yard Setback (North) – 20'	190'	Compliant
B5d. Min Lot Width at Building Line – None	NA	NA
B6. Max. Building Height – 60'	10'	Compliant
B7. Min. Gross Ground Level Space – None	NA	NA
B8. Off-Street Parking (WC 16.04.120)	NA	NA
B9. Loading and Unloading Berths (WC 16.04.120, 1b)	NA	NA
C. Open Industrial	NA	NA
D. EI-PD	NA	NA
E. OI-PD	NA	NA
<u>Accessory Buildings</u> (WC 16.04.100, 2)		
A. Applicability – pre-existing structures, not applicable	NA	NA
Bi. Same parcel as principal building	Same parcel as principal building	Compliant
Bii. No construction until start construction on	Principal building	Complaint



WESTFIELD-WASHINGTON

ADVISORY PLAN COMMISSION

SECOND MONTHLY MEETING

March 15, 2010

1003-DP-02 & 1003-SIT-02

principal building	constructed	
Biii. No occupancy until occupancy of principal building	Principal building occupied	Compliant
Biv. Temporary construction building used for storage during construction	NA	NA
Bv1. Construction completed within 1 year of permit issuance, OR	NA	NA
Bv2. Construction completed within 1 year of completion of principal building, if permits issued at the same time	NA	NA
Bvi. Not substantially alter the character of the vicinity	Greenhouse for research purposes in an industrial park	Compliant
Bvii. Subordinate in height, width, length and bulk of principal building	Subordinate in height, width, length and bulk of principal building	Compliant
Bviii. Same ownership/maintenance as principal building	Same ownership as principal building	Compliant
c. Front Setback		
ci1. Parcels in recorded subdivisions – located 10' behind front plane of structure	NA	NA
ci2. Parcels not in recorded subdivisions		
i. 75' from ROW	76'	Compliant
ii. Not built in front yard of principal building	Behind front yard setback line	Compliant
cii. Side & Rear Setbacks – follow setbacks in zoning district	EI side and rear yard setbacks met	Compliant
d. Max. Building Height – 18'	10'	Compliant
<u>2. Overlay District Standards</u>		
The Project is exempt from the U.S. 31 Overlay District standards because it is an expansion to a business that was existing at the time of adoption of the U.S. 31 Overlay District (WC 16.04.070, 9).		
<u>3. Subdivision Control Ordinance</u>		
The Subdivision Control Ordinance is not applicable to business or industrial development (WC 16.04.010, R).		
<u>4. Development Plan Review</u> (WC 16.04.165, D4)		
<u>a. Site Access & Circulation</u>		
1. Access locations	Unchanged from	Compliant



WESTFIELD-WASHINGTON

ADVISORY PLAN COMMISSION

SECOND MONTHLY MEETING

March 15, 2010

1003-DP-02 & 1003-SIT-02

2. Safe & efficient movement to and from Site	existing Waiver request pending for the pedestrian pathway requirement	Compliant if waiver request approved; not compliant if waiver request not approved. If not approved, an 8' asphalt path is required to be included on the plans
3. Safe & efficient movement in and around Site	Paths to greenhouse from primary building	Compliant

b. Landscaping (WC 16.06 et seq.)

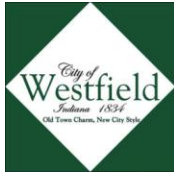
	<u>Required</u>	<u>Proposed</u>	<u>+/-</u>
On-Site (Industrial, 0.01 acre impact)			
- Shade Trees	1	1	Compliant
- Orn/Ev Trees	1	1	Compliant
- Shrubs	1	3	Compliant
Road Frontage Shade Trees (8')	1	1	Compliant
Buffer Yard	NA	NA	NA
Interior Parking Lot	NA	NA	NA
Perimeter Parking Lot	NA	NA	NA
Wall-Softening	NA	NA	NA

c. Lighting (WC 16.07.010)

	NA	NA
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d. Signs

Sign review and approval has been delegated to staff and will be reviewed administratively under a separate application and review process.



WESTFIELD-WASHINGTON

ADVISORY PLAN COMMISSION

SECOND MONTHLY MEETING

March 15, 2010

1003-DP-02 & 1003-SIT-02

e. <u>Building Orientation</u>		
1. Finished façade – façades visible from public street or adjoining Residential District	Aluminum & Glass	Compliant – see subsection f3 below
2. Loading spaces – not facing public street or adjoining Residential District	NA	NA
3. Outside storage – not permitted between building line and ROW or adjoining Residential District	NA	Compliant
4. Mechanical equipment – completely enclosed. - Ground-mounted – landscaped on all sides	NA	NA
f. <u>Building Materials</u> (<i>applicable to façades visible from public street or adjoining Residential District</i>)		
1. Brick or masonry (architectural concrete, pre-cast concrete, EIFS, or stone)	Aluminum & Glass	Compliant – see subsection f3 below
2. If masonry (not brick) used, façade supplemented with multiple colors, multiple textures, or architectural elements	NA	NA
3. Primary material used – 60%	Aluminum & Glass	Compliant – The Community Development Director has determined that there is no “available wall area” for materials other than glass and aluminum due to the nature and intent of the greenhouse structure.
<u>5. Comprehensive Plan Compliance</u>		
The 2007 Comprehensive Plan identifies the subject area as “Business Park” (p. 23). The subject property is part of an existing and developed business park. The use is consistent with the recommendations of the Comprehensive Plan, and the proposed plan meets many of the stated “Business Park” development policies (pp. 55-56).		



6. Street and Highway Access

The proposed expansion of the business does not require a new curb cut or improvement to existing public rights-of-way. All existing access would be unchanged.

7. Street and Highway Capacity

The size of the proposed business expansion does not warrant a traffic study.

8. Utility Capacity

There is sufficient capacity and availability of utilities.

9. Traffic Circulation Compatibility

The site access and circulation is not changing from the existing layout.

PUBLIC POLICIES

Comprehensive Plan-Feb 2007

See 'Comprehensive Plan Compliance' section above.

Thoroughfare Plan-Feb 2007

Westfield Park Drive is classified as a "Local Street" in the 2007 Thoroughfare Plan and has a full right-of-way of fifty (50) feet. The right-of-way is consistent with the recommendations in the Thoroughfare Plan.

Parks & Recreation Master Plan-Dec 2007

The Westfield Parks & Recreation Master Plan makes no specific recommendation for the subject property.

Water & Sewer System-Aug 2005

The subject property is currently on both, the City's water and sewer systems.

Annexation

The subject property is within the corporate boundaries of the City of Westfield.

Plan Documentation

Pending compliance with any conditions, the petitioner will have provided the required documents.



WESTFIELD-WASHINGTON

ADVISORY PLAN COMMISSION

SECOND MONTHLY MEETING

March 15, 2010

1003-DP-02 & 1003-SIT-02

<u>Required Submittals</u>	<u>Original</u>	<u>Amended</u>	<u>Status</u>
Application	02/02/10	-	Compliant
Fees	02/02/10	-	Compliant
Legal Description	02/02/10	-	Compliant
Consent Form	03/09/10	-	Compliant
Site Plan	02/02/10	-	Compliant
Landscape Plan	02/02/10	03/09/10	Compliant
Lighting Plan	NA	-	NA
Building Elevations	02/02/10	-	Compliant
Access & Circulation	02/02/10	-	Compliant, if Waiver approved

<u>Required Procedure</u>	<u>Original</u>	<u>Status</u>
Pre-Filing Conference	01/11/10	Compliant
TAC	02/16/10	Compliant
Notice - Sign on site	02/19/10	Compliant
Notice – Newspaper	02/19/10	Compliant
Notice – Mail	02/19/10	Compliant

STAFF RECOMMENDATION

1. Approve the associated pathway waiver request with the following condition:
 - That upon such time that the City deems the installation of the pathway necessary, the owner shall be required to install the pathway per the City's specifications.
2. Approve 1003-DP-02 & 1003-SIT-02.

KMT